

## Tzhone, Stephen

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**From:** Tzhone, Stephen  
**Sent:** Monday, September 23, 2013 8:41 AM  
**To:** 'CC Grisham'  
**Cc:** Moran, Gloria; Sanchez, Carlos; Kyle Weaver  
**Subject:** RE: Friday, September 20, 2013: Memo of conversation

Hi Curt,

I'm open to exploring any and all avenues to expedite NPL deletion and/or reuse of the Arkwood site and wanted to share the parameters as I understand them.

The website that I wanted to share with you was the EPA website on NPL deletion:

[http://www.epa.gov/superfund/programs/npl\\_hrs/nploff.htm](http://www.epa.gov/superfund/programs/npl_hrs/nploff.htm) I wanted to let you know that my understanding for full NPL deletion is that the site: must have completed any reassessment and cleanup actions due to the dioxin toxicity change; groundwater must achieve Arkansas Water Quality Standards; and corrected institutional controls must be in place.

I also wanted to let you know that the Arkwood site can return to productive use at any time (even before full or partial deletion), as long as the remedy is not compromised. The remedy that cannot be compromised consists of addressing the soil and groundwater to numerical cleanup goals as specified in the 1990 Record of Decision (and to be updated with the dioxin reassessment) and institutional controls.

I apologize if I've offended you in any way. From our collegial and productive relationship, I know that site deletion and reuse were a source of frustration for you and your family. My hope is that having the same information on these parameters would enable us to focus on them so that site deletion and reuse can be realized.

Thanks,

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**From:** CC Grisham [<mailto:grish@me.com>]  
**Sent:** Friday, September 20, 2013 6:35 PM  
**To:** Tzhone, Stephen  
**Cc:** CC Grisham; McCarthy, Gina; Peycke, Mark; Moran, Gloria; Faultry, Charles; Curry, Ron; Edlund, Carl; Sanchez, Carlos; Kyle Weaver  
**Subject:** Friday, September 20, 2013: Memo of conversation

Mr. Tzhone,

This is to memorialize our telephone conversation of today, which contact you initiated by a message you left for me at 14:23 today asking me to call you on your cell phone.

I returned the call at 14:31, and we spoke about ten minutes.

I was shocked that you began the conversation by lecturing me about the arduous nature of accomplishing Superfund site deletion from the National Priorities List (NPL).

You asked me if I understood that all remedies had to be completed, the soil now to the new EPA dioxin standard, the water to Arkansas Department of Environmental Quality's standard, whatever that may be, et cetera.

It was as if you and I had never conversed before, and I found it offensive and insulting.

You suggested that I take down a web address on [epa.gov](http://epa.gov) where I could learn about such things as "Deletion," in case I minimized somehow the daunting accomplishment I sought for Arkwood or perhaps had been misled about the difficulty of such a thing.

I told you that I was working off of **OSWER Directive 9320.2-22 dated May 2011, "Close Out Procedures for National Priorities List Sites" Chapter 5.0 "Site Deletion and Partial Deletion,"** at which document I was looking, to which document I referred in my agenda and which document I had supplied on the DVD appendix that accompanied my agenda for the meeting of 5 September 2013 (Fedexed to you with delivery confirmation prior to that meeting, with your written assurance that the DVD and its contents would become part of the official record of those proceedings.)

I then asked you on the telephone today if **OSWER Directive 9320.2-22 dated May 2011** were the guiding and authoritative document, or if that document had been superseded. You said, "I think that's the right one."

I told you I thought you should know that information off the top of your head, as a Remedial Project Manager.

You had gone from lecturing me about the requirements for Deletion from NPL to displaying some uncertainty about those requirements or the source of their authority in a telephone contact you had initiated --- by your own admission --- at Carlos Sanchez' behest.

I am concerned that your aggressive telephone call to me seemed to be retaliation for my email to Carlos Sanchez sent less than two hours before you called me.

Moreover, I felt you were trying to intimidate me with your tone and with the nature and substance of your questioning, as if you were warning me of something I didn't comprehend.

I thought you and I had a collegial, productive relationship, and I bragged to Kyle Weaver about you.

As of now, I feel insufficient faith in anyone at EPA Region 6 to have such informal contacts as our last telephone conversation.

If you or anyone at EPA have anything to say to or ask of me, please do so in writing at this email address or the PO box you also have.

That way I think it will be less upsetting to me on a frequent and ongoing basis, as it was for my father and my grandfather before me.

Charles Curtis Grisham, Jr.